THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO.19442 OF 2005

Dated 14th September 2005

Between:

B.Rama Subbaiah S/o.Subbanna,

34 years, Driver, R/o.Allagadda, Kurnool Dist.

…Petitioner

And

The Regional Manager, APSRTC, Kurnool Region,

Kurnool & others.

…Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO. 19442 OF 2005

O R D E R:

The petitioner was employed as a driver in the APSRTC. Through orders dated 1.8.1998, the Depot Manager, Koilakuntla, the second respondent, removed him from service, on disciplinary grounds. In an appeal preferred by the petitioner, before the first respondent, the order of removal was modified, to the one of fresh appointment, without any benefit of past service. The petitioner challenges the order of the first respondent, insofar as it denied the other benefits, and challenges the action of the respondents, in not regularizing his services, even after being appointed afresh.

Heard the learned counsel for the petitioner and learned Standing Counsel for the respondents.

So far as the challenge to the order passed by the first respondent, rejecting the relief of past benefits and modifying the order of removal, to the one of fresh appointment, is concerned, this Court is not inclined to grant any relief, for the reason that the petitioner has to work out his remedies, in a Labour Court. The second limb of the grievance of the petitioner is that though he was appointed afresh, pursuant to the order of the first respondent, way back in 1999, his services have not been regularized, so far. It is pointed out that certain employees, who were appointed subsequent to that date, have since been regularized.

Having regard to the facts and circumstances of the case, the writ petition is disposed of, directing that in case, any person, appointed subsequent to the fresh appointment of the petitioner, was regularized, the petitioner shall also be extended the same benefit. There shall be no order as to costs.

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14th September 2005

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